

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Section 68.4 of the Commission's Rules)	WT Docket No. 01-309
Governing Hearing Aid Compatible)	
Telephones)	
)	
T-Mobile USA, Inc. Petition for Waiver of)	
<u>Section 20.19(c)(3) of the Commission's Rules</u>)	

REPLY OF T-MOBILE USA, INC.

T-Mobile USA, Inc. ("T-Mobile"), respectfully responds to the comments of Self Help for Hard of Hearing People ("SHHH")¹ on T-Mobile's pending Petition for Waiver.² T-Mobile fully understands SHHH's concerns about making hearing aid compatible ("HAC") handsets available to the public as quickly as possible³ and appreciates the organization's support for T-Mobile's request for a limited extension of the September 16, 2005, deadline within which T-Mobile can deploy four compliant handsets.⁴

T-Mobile's waiver requested an additional 60 days to deploy all four of the requisite handsets. Rolling out all the handsets at the same time as part of one process was the most orderly way to implement this new program in T-Mobile's more than 1100 retail stores. SHHH,

¹ Comments of Self Help for Hard of Hearing People, WT Docket No. 01-309 (filed Aug. 30, 2005) ("SHHH Comments").

² T-Mobile USA, Inc. Petition for Waiver of Section 20.19(c)(3) of the Commission's Rules, WT Docket No. 01-309 (filed Aug. 26, 2005) ("Petition").

³ SHHH Comments at 3-4.

⁴ *Id.* at 3.

while characterizing the 60-day request as “reasonable” under the circumstances, nevertheless requests that two T-Mobile handsets “that have already been found compliant be rolled out by the deadline.”⁵ T-Mobile has been actively pursuing its options to try to be responsive in full to this request. However, T-Mobile has recently learned that one of its compliant handsets (the Samsung x495H) had to be re-tested, in part because of an error that required hardware modifications to be made to the handset by the manufacturer.⁶ T-Mobile was informed on September 6, 2005 that the Samsung x495H, as modified, passed TCB testing. As a result of the modification, however, it appears unlikely that this handset will be available by the September 16 deadline.⁷ While T-Mobile will be able to offer one HAC-compliant handset by September 16,⁸ based on these unexpected circumstances it would be impossible for T-Mobile to have a second HAC-compliant handset fully deployed for in-store testing by that date.

As noted in our Petition, T-Mobile is fully committed to offering its customers four HAC-compliant handsets as quickly as possible and endeavors to be responsive to the hearing impaired community.⁹ Given this commitment and in light of SHHH’s comments, T-Mobile

⁵ *Id.*

⁶ See Samsung Telecommunications America, L.P., Request for Waiver of Section 20.18(c)(1)(i) of the Commission’s Rules, WT Docket No. 01-309, n. 20 (filed Sept. 2, 2005).

⁷ See *id.* at 8, n. 20 (indicating that additional ministerial steps may need to be undertaken with respect to the product manual and labeling that may add a delay of up to six weeks in the delivery of the product to T-Mobile, which makes it impossible for T-Mobile to make this handset available to the public by September 16, 2005).

⁸ The Blackberry 7230 has received HAC certification from a TCB and is currently available in T-Mobile stores.

⁹ Petition at 1. Granting the Cingular waiver could increase opportunities for HAC compliance by enabling T-Mobile to offer a wider variety of handset options for its hearing impaired customers. Even with this relief however, additional time beyond September 16 will still be needed to get the required HAC approvals for dual band (850 MHz and 1900 MHz) GSM phones and to deploy additional HAC-specific materials with the handsets for customers.

pledges to introduce HAC-compliant handsets into its stores as soon as they are available.

Accordingly, T-Mobile reiterates its request for a limited 60-day waiver. Assuming our vendors deliver as promised, and considering all the factors above, T-Mobile will strive to make available one HAC-compliant handset by September 16, 2005, a second HAC-compliant handset no later than October 16, 2005, and two other HAC-compliant handsets no later than 60 days after September 16, 2005. Moreover, working diligently, T-Mobile will endeavor to make handsets available to stores prior to these dates.

Respectfully submitted,

By: /s/ Thomas J. Sugrue

Thomas J. Sugrue, Vice President,
Government Affairs
Kathleen O'Brien Ham, Managing
Director, Federal Regulatory Affairs
Harold Salters, Director, Federal
Regulatory Affairs
Shellie Blakeney, Senior Counsel, Federal
Regulatory Affairs

T-Mobile USA, Inc.
401 9th Street, NW
Suite 550
Washington, DC 20004

Dated: September 8, 2005